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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,607	12/07/2000	Masaru Sugano	001615	9246

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EXAMINER

ABEBE, DANIEL DEMELASH

ART UNIT	PAPER NUMBER
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2655

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DATE MAILED: 11/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

KS

Office Action Summary

Application No.

09/730,607

Applicant(s)

SUGANO ET AL.

Examiner

Daniel D Abebe

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- ☐ Interview Summary (PTO-413) Paper No(s). ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

Response to Amendment

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Sezan et al. (6,236,395).

As to claim 1, Sezan teaches an audio data feature description method, comprising the step of:

hierarchically representing an audio features where the (audio or video) program is at the highest hierarchy, segmenting the program into hierarchies and representing each segment with segment descriptors/features (Fig.3; Figs.13, 16-21; Col.14, line 45- Col.26, line 28; Col.27, lines 12-43).

As to claim 2, Sezan teaches semantically representing scenes or shots of audio programs (Fig.13).

As to claims 3-6, Sezan teaches where the descriptors reflect content and value of the audio data and where the segments are described with key frames and time codes (Col.4, lines 59-65; Figs.3-12).

As to claim 7, Sezan teaches audio/video program description, wherein the feature value are represented by an audio thumbnail indicating audio pieces or images, and where the thumbnail is described according to the feature type and where the audio/video program is described in segments (Figs. 4-5).

As to claim 8, Sezan teaches where feature values are represented by a clip having arbitrary length (Figs.10-11).

As to claim 9, Sezan teaches where a clip representing audio shots or scenes is represented as key audio clip/key-frame (Fig.14).

As to claims 10-12, Sezan teaches where clips are represented by a plurality of object descriptions (Figs.13, 15 and 20).

As to claim 13, Sezan teaches audio data program description, where the data consists multiple channels represented as key streams and where an audio segment corresponding to the key stream is described (Figs.4-12).

As to claim 14, Sezan teaches where audio segments are described in events (Fig.3; Fig.11; Fig.13, 480).

As to claim 15, Sezan teaches where the program description comprises object description scheme (Fig.13, 482).

As to claims 16 and 17, Sezan teaches audio data description method, where a representative of audio shot or scene is represented as sequences of slide (Fig.8).

As to claim 18, Sezan teaches audio data feature description method where feature of audio program are segmented and described and value indicating the level of the feature (Figs.3 and 13; Fig.14, 426).

As to claim 19, Sezan teaches an audio video data description method, where in feature type description are extracted and associated with programs;
feature descriptions are extracted from one or more audio video programs and organized into meta description data (Figs.3, 6 and 15).

As to claims 20-22, Sezan teaches where the feature types include summary type (Col.34, lines 36-42) and where multi-level summary collection are generated and feature identifiers are included (Col.8, lines 33-48; Fig.6).

As to claims 23-26, Sezan teaches where the feature descriptions structure are generated according to contents and summary types (Fig.13, 402, 404; Fig.3, 64).

Response to Arguments

Applicant's arguments filed on 9/5/2003 have been fully considered but they are not persuasive. The examiner disagree with applicant's argument asserting that Sezan has failed to teach hierarchically representing audio features/descriptors. Sezan's art is related to a a program description scheme for efficient search of audio-visual programs. It includes user, system and program description scheme where the program description scheme and the system description scheme work together with the user description scheme in achieving search tasks. The program description scheme in sezan comprises arranging a program into sections and/or cateogries (hierarchies). According to Sezan "the proposed program description scheme includes three major sections for describing a video program. The first section identifies the described program. The second section defines a number of views which may be useful in browsing applications. The third section defines a number of profiles which may be useful in filtering and search applications" Col.14, lines 45-50.

Sezan further states "The description scheme is multi-modal in the following sense that it holds both high level (semantic) and low level features and/or descriptors. For example, the high and low level descriptors are actor name and motion model parameters, respectively. Col.13, lines 33-36.

According to Figs 4-12 and the corresponding text, Sezan explains where the program is hierarchically represented through program files "The program profiles define distinctive characteristics of the content of the program, such as actors, stars, rating, director, release date, time stamps, keyword identification, trigger profile, still profile, event profile, character profile, object profile, color profile, texture profile, shape profile, motion profile, and categories. The program profiles are especially suitable to facilitate filtering and searching of the audio and video information. The description scheme enables users to have the provision of discovering interesting programs"

According to the example of an audiovisual description scheme by Sezan as shown in FIG. 4, selecting the thumbnail function as a function of category provides a display with a set of categories. Selecting a particular category, such as news, provides a set of thumbnail views of different programs that are currently available for viewing. In addition, the different programs may also include programs that will be available at a different time for viewing. The thumbnail views are short video segments that provide an indication of the content of the respective actual program that it corresponds with.

According to Sezan the description scheme 406 provides for several different presentations (hierarchies) of the video content (or audio), such as for example, a thumbnail view description scheme 410, a key frame view description scheme 412, a highlight view description scheme 414, an event view description scheme 416, a close-up view description scheme 418, and an alternative view description scheme 420
Col.26, lines 40-50.

It is understood the many features of the program in Sezan includes audio/video, scenes, events, highlights and/or shots. "It is also to be understood that any of the techniques described herein with relation to video are equally applicable to audio.

Therefore the examiner submits the claims are anticipated by Sezan.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

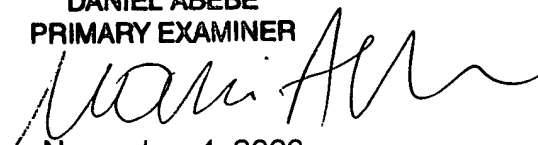
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel D Abebe whose telephone number is 703-308-5543. The examiner can normally be reached on monday-friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 703-305-4827. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Art Unit: 2655

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

DANIEL ABEBE
PRIMARY EXAMINER



November 4, 2003